

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IN RE:

COVID-19 PANDEMIC PROCEDURES

*

*

*

MISC. NO. 20-146

ORDER

On May 22, 2020, the Court announced its progression into Phase One of its recovery plan, effective May 26, 2020. Phase One represented only a modest change in the Court's level of operations. However, as discussed below, the Court's criteria for entering into Phase Two have now been satisfied, and the Court is now prepared to enter Phase Two of its recovery process.

As explained in the attached recovery plan, Phase Two includes the limited resumption of in-court proceedings. In order to minimize the number of persons in the Courthouses and to conserve scarce resources, most proceedings will continue to be conducted virtually. Additional staff will be brought into the Courthouses to support the in-court proceedings, but vulnerable staff or those caring for vulnerable dependents may be authorized to continue teleworking. The Court may begin to schedule certain petit jury proceedings, with some restrictions, and grand jury proceedings will likely resume on a limited basis, with appropriate safety precautions. Court offices will remain closed to the public, but members of the public may be admitted to the Courthouses for the limited purpose of observing in-court proceedings. Self-represented litigants may continue to deposit and date-stamp papers in drop boxes at the entrance to each Courthouse between 9:00 a.m. and 4:00 p.m., Monday through Friday. As in Phase One, and consistent with Standing Order 2020-10, all persons seeking entry to, or occupying, Courthouses in this District must wear a face covering or masks at all times. All individuals present in the Courthouses for any reason should continue to maintain at least six feet of physical distance from others (and more distance whenever possible). Elevators will remain limited to one occupant at a time, and at least

six feet of distance should be maintained on escalators, which will be reinforced with appropriate signage. Courthouse cafeterias and employee gyms will remain closed.

This Court has adopted gating criteria that must be met before proceeding to each successive phase of the recovery process. The Court equally weighs two factors in considering whether to proceed to the next recovery phase: sustained downward trending daily COVID-19 community case statistics over a 14-day period, and progressive rescission of local restrictive movement and/or shelter in-place orders. If these conditions are met, moving to the next phase will likely be appropriate. If progress as to these factors stalls or reverses, such as if there is a resurgence of local COVID-19 cases resulting in increased hospitalizations, the Court will consider reverting to a lower phase of operations.

In terms of the factors motivating the Court's decision to move to Phase Two, first, COVID-19 case statistics from the Maryland Department of Health have demonstrated significant and sustained downward trends over a fourteen day period. In particular, current hospitalization rates for COVID-19 patients in acute and ICU beds, the statistics weighed most heavily by the Court, have significantly declined over a period exceeding fourteen days. Additionally, new confirmed death and new confirmed case data both also show significant and sustained downward trends. It is clear that the community COVID-19 case statistics support proceeding into Phase Two.

Second, the State of Maryland has continued to progress through its own phased recovery plan, and entered Phase Two on June 5, 2020. Local jurisdictions have now all progressed into at least Phase One, and most have followed the State into Phase Two. On June 10, 2020, the Governor of the State announced the lifting of further restrictions as community case statistics continue to improve. These actions are sufficient to meet the Court's gating criteria for progressing into Phase Two.

For these reasons, the Court will proceed into Phase Two, effective at 8:30 a.m. on Monday, June 22, 2020. Further, the Court will begin to assess gating criteria for entry into Phase Three, in which the Court will further expand operations.

It is SO ORDERED.

Date: June 17, 2020

/s/ JAMES K. BREDAR
James K. Bredar, Chief Judge
United States District Court